

Incoming
File M/049/0021
CC; Utah County SGR2A
; Utah Co. Gen. Corresp.
Lynn
July 21, 2008

Dan L Powell
148 South 100 East
Spanish Fork, UT 84660
801- 369-0793

Mr. Powell;

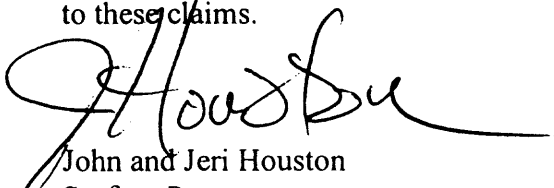
This letter is to inform you that, under no circumstances are we, as surface owners of the land on which you have filed a placer claim called "Little Cherry West Placer Claim" going to allow you to trespass or to disturb any of our surface property. The motivation behind your efforts is suspect and is a clear misuse of the United States Mining Law.

You do not need to explore for limestone on our property because you already have a surface pit on the Beaver Road roughly three miles from the location where you filed claims on our property. This Beaver Road pit is in the geologic formation called the Flagstaff Limestone. There is no Flagstaff Limestone on our property. This Beaver Road pit represents surface disturbance you have already created for a purpose of mining Flagstaff Limestone. It currently stands out as an ugly scar on the land surface with little or no reclamation.

Be advised that we have no intention of allowing you to disturb any surface area on our property. We will fight your proposal every step of the way and to every extent allowed by law.

As private property owners we believe it is incumbent on the BLM to require you to clearly demonstrate the geology that supports your theory. We believe that the BLM must require you to demonstrate beyond a reasonable doubt that a metallurgical grade limestone is present on our property. The BLM should require this evidence before it ever issues you a claim as a simple matter of due diligence. Since this claim involves private property, the criteria for issuance must meet a higher standard. We do not believe that you can provide any evidence that supports your intent.

As surface owners, we expect to be noticed on every single action you take with respect to these claims.


John and Jeri Houston
Surface Property owners

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JUL 28 2008

DIV. OF OIL, GAS & MINING

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